

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3327

IN THE MATTER OF:

Served May 5, 1989

Application of BILL APPELL Trading)
as PERSONAL PACE TOURS, to Amend)
Certificate No. 130)

Case No. AP-89-17

By application filed April 5, 1989, Bill Appell trading as Personal Pace Tours 1/ (Bill Appell or applicant), seeks to amend his WMATC Certificate No. 130. Applicant seeks to transport passengers in charter and special operations between points in the Metropolitan District, restricted to sightseeing tours, and further restricted against originating tours at the National Mall, The Ellipse, and the Days Inn-Capital Centre, Capitol Heights, MD. 2/

WMATC Certificate No. 130 authorizes the following transportation:

IRREGULAR ROUTES:

SPECIAL OPERATIONS, transporting passengers, between points in the Metropolitan District. Restricted to lectured, round-trip sightseeing tours;

RESTRICTED against originating such tours at the National Mall, The Ellipse, and the Days Inn-Capital Centre, Capitol Heights, Md.;

AND FURTHER RESTRICTED to the transportation of passengers in vehicles with a manufacturer's designed seating capacity of 15 passengers or less including the driver.

1/ The application was filed by Bill Appell trading as "Tech Tours Washington," however, Certificate No. 130 is issued to Bill Appell trading as Personal Pace Tours. If it is the intention of Bill Appell to change his trade name he will be required to file a motion with this Commission indicating intent to do so; or, in the alternative, an explanation as to why "Tech Tours Washington" is listed as a trade name of the applicant.

2/ To the extent that this application could be interpreted to include transportation solely within the Commonwealth of Virginia the application is hereby dismissed pursuant to the Compact, Title II, Article XII, Section 1(b).

Applicant plans to conduct the proposed operations in two vehicles of unspecified seating capacity. Bill Appell proposes to offer three tours: Tour I ("Morning Tour") would be four hours in duration and would include stops at the White House, Lincoln Memorial, Arlington National Cemetery, and Vietnam Memorial. An observation tour of the Jefferson Memorial, Bureau of Engraving, Smithsonian, and other points of interest would also be included. The proposed fare is \$23 for adults and \$12 for children under twelve. Tour II ("Riding Tour") would be one hour in duration and would pass the White House, Washington Monument, Lincoln Memorial, Vietnam Veterans Memorial, and Jefferson Memorial, Smithsonian, and unspecified government offices; \$11 for adults and \$8 for children would be charged. Tour III ("Night Tour") is three hours in length and includes stops at the Library of Congress or Jefferson Memorial, Kennedy Center, Iwo Jima Memorial, Vietnam Veterans Memorial, and Lincoln Memorial; the charge would be \$16 for adults and \$8 for children. Applicant proposes to charge \$55 an hour with a 4-hour minimum in his charter operations, with a 20 percent fee if requested service is cancelled within 10 days of service.

Applicant submitted a statement of financial condition as of March 16, 1989, which lists \$76,800 in current assets and \$11,387 in fixed assets after depreciation. Current liabilities are listed as \$5,316 with \$12,705 representing notes payable on revenue equipment. It appears, however, that the financial data fail to list Bill Appell's personal assets and liabilities. As a sole proprietor Bill Appell will be required to submit an accurate reflection of his net worth.

Applicant submitted a pro forma income statement that projects revenues of \$766,845 and concomitant expenses of \$163,417 for operations in 1989. It is unclear from the financial data whether the expected revenues and expenses have been allocated between applicant's current operations and proposed operations. Applicant will be asked at hearing to address this matter.

Pursuant to Title II, Article XII, Section 4(b) of the Compact, this application will be scheduled for public hearing to determine if the applicant is fit, willing, and able to perform the proposed service properly and comply with the Compact and the Commission's rules and regulations and to determine whether the public convenience and necessity require the proposed service. Applicant will be assessed an amount preliminarily estimated to cover the costs of hearing pursuant to the Compact, Title II, Article XII, Section 19.

THEREFORE, IT IS ORDERED:

1. That a public hearing in Case No. AP-89-17 is hereby scheduled to commence on Thursday, June 22, 1989, at 9:30 a.m. in the Hearing Room of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104.
2. That Bill Appell trading as Personal Pace Tours, shall publish once in a newspaper of general circulation in the Metropolitan District, and post continuously and conspicuously in each of his vehicles through the date of public hearing, notice of this application

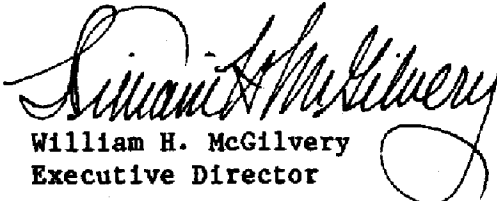
and the hearing thereon in the form prescribed by the staff of the Commission, no later than Friday, May 26, 1989, and shall present at the hearing affidavits of publication and posting.

3. That any person desiring to protest the application shall file a protest in accordance with Commission Rule No. 14, or any person desiring to be heard shall so notify the Commission, in writing, no later than Monday, June 12, 1989, and shall simultaneously serve a copy of such notice or protest on Mr. Bill Appell, 1103 C Street, S.E., #23F, Washington, DC 20003.

4. That Bill Appell trading as Personal Pace Tours is hereby directed to file with the Commission no later than Monday, June 12, 1989 (a) an explanation for his use of "Tech Tours Washington" in the application and (b) revised financial data.

5. That Bill Appell trading as Personal Pace Tours is hereby assessed \$400 pursuant to Title II, Article XII, Section 19 of the Compact, and is directed to deliver said amount to the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Monday, June 12, 1989.

FOR THE COMMISSION:


William H. McGilvery
Executive Director

